

OPEN THE SCHOOLS; KEEP LABOR OUT

One Agreed To, Efforts
Will Be Made to Ef-
fect the Other.

HOUSE CONCURS IN THE EXCLUSION ACT

Mr. Williams Warns the People
of Danger of Race Trouble.
Mayor Schmitz Explains
the Plans as to
the Schools in
California.

WASHINGTON, D. C., February 18.—The State Department, being now fairly assured, through the final passage to-day of the immigration bill that the San Francisco authorities will rescind their action excluding Japanese pupils from the white schools, is prepared to take up again the negotiations that were already in progress with the Japanese government looking to the regulation of Japanese immigration into the United States.

It is expected that these negotiations will result in an agreement between the government of Japan and that of the United States for the withholding by the former of passports to Japanese of the laboring classes seeking to enter the United States. For several years past the Japanese government has declined to issue any such passports, but the intention is to make this a matter of formal agreement, if possible.

The basis of the agreement reached between President Roosevelt, Secretary Root, Mayor Schmitz and the members of the San Francisco School Board, made public to-night by Mayor Schmitz, provides that "all children of alien races, under sixteen years of age, who speak the English language, may be admitted to the white schools; that schools of the white race, children of alien birth who are declared in the elements of the English language."

Mayor Schmitz and his associates had received several hundred telegrams to-day congratulating them on the satisfactory results of their negotiations with the President. Other telegrams were received criticizing the Mayor and School Board, and declaring that the exclusion amendment in the immigration bill, as passed by the House of Representatives to-day, is unsatisfactory to the people of the Pacific coast States. The Central Labor Union of this city, to-night gave a reception in honor of Mayor Schmitz and the School Board President Gompers, of the American Federation of Labor, who presided, paid a high tribute to Mayor Schmitz, and declared that in bringing about the exclusion of coolie labor from this country, he won a victory for which the American Federation of Labor has been fighting for the past decade. "Before Mayor Schmitz and his associates reach the Pacific coast," said Mr. Gompers, "we threatened stones and garlands, and turned into men who will be glad to welcome them back to San Francisco."

HOW JAPAN VIEWS IT.

Emigration Companies May Fight.

TOKIO, JAPAN, February 18.—The passage of President Roosevelt's passport bill by the Senate of the United States was semi-officially announced this morning. The leading newspapers to-day extolled the bill as a masterpiece of statesmanship. The government is perfectly legitimate in accordance with treaty stipulations. It is also pointed out that the promise of success of the judicial proceeding in the school question has been refrained from making comment on this latest news from Washington. It is believed that the emigration companies will combine to attack the government's attitude if an agreement is reached with America on the basis proposed. It is thought that the general public, while regretting the solution of the San Francisco question in this form, will calmly resign itself to the situation.

EXCLUSION ACT PASSES THE HOUSE

Conference Report on Immigration Bill Adopted After Quite a Long Fight.

WASHINGTON, D. C., February 18.—Under suspension of the rules, the House to-day adopted the conference report on the immigration bill, which was agreed to by the Senate Saturday, although the Democrats generally made a party issue against the passport provision, as well as to that requiring air space in vessels. The vote stood—ayes, 187; noes, 101. Four Republicans voted against the bill, and four Democrats voted for it.

Representative Burnett, of Alabama, made points of order against the first provision, which undertakes to regulate the incoming Japanese coolies, by giving the President authority to refuse to recognize their passports and also against the whole of section 42, having relation to the air space in vessels bringing immigrants to the United States.

Would Prove Big Stick.
As to the first proposition, Mr. Burnett insisted that the authority conferred by the section on the President put in his hands a "big stick," which he could wield over a State. He declared that it gave the Chief Executive a power which was never contemplated by the Constitution nor by the enabling act of any sovereign State.

As to the second proposition, it was Mr.

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CORN THREATENED BY CITY ENGINEER

Latter Wanted to Arrest
Him for Using Sand
Belonging to City

COMMITTEE BACKS UP SUPERINTENDENT

Street Cleaning Department Will
Get Enough Water Hereafter
to Wash Mud Away.
Discussion of Hos-
pital Plan To-
Day.

At a meeting of the Committee on Street Cleaning last night, an arrangement was tentatively agreed upon as a result of which Superintendent Henry J. Cohn, of the street cleaning department, will be able to secure ample water with which to flush the streets most requiring it. Considerable friction among the departments of the city government has arisen from time to time as a result of the efforts of Mr. Cohn to secure the means with which to wash the cobblestones or to do other things required of his force. It developed last night that the City Engineer has even gone so far as to threaten the arrest of the Superintendent for "unauthorized use of sand on slippery streets."

The objection to the use of the water-plugs in times of mud and slush came from Superintendent Bolling, who is anxious at all times to guard the city against any danger, by fire, he feared that the water and sand on the plugs would prove injurious, and that the fire hydrants might not be left in the same condition after use as before.

He was before the Committee on Street Cleaning last night, by invitation, and suggested that a series of stand-pipes, connecting with the water main, be placed in the middle of certain downtown blocks, and that the hose be attached to these when water was needed. He explained that they would cost about \$35 each, and that twenty-five or thirty of them, located on Main, Cary and Broad Streets, would answer the purpose. Mr. Bolling expressed the belief that by the use of these stand-pipe connections and a few sections of hose, the streets could be more effectively washed than by street flushers, as the superintendent of street cleaning suggested.

Finally Councilman Ferguson offered a resolution appropriating \$1,000, or so much thereof as may be necessary, with which to install about thirty stand-pipes on Main, Cary and Broad Streets, from Seventh Street to Seventeenth. The resolution was adopted.

Threatened With Arrest.

Superintendent Cohn laid before the committee a letter received from Col. W. E. Cushman, City Engineer, threatening him with arrest, and City Engineer's department without authority. The sand was stored near the Marshall Street, and was used by Mr. Cohn during the recent severe sleet storm to prevent horses slipping and falling. Several horses had fallen and been crippled at some of the most dangerous places, and the superintendent of street cleaning took matters into his own hands in the interest of humanity to beasts and hauled eighteen or twenty loads of sand, with which to minimize the danger at those points. The letter from the City Engineer laid reference to the unauthorized taking of this sand belonging to another department.

The Street Cleaning Committee said the letter was "without reading it," and there was no discussion whatever, save that Mr. Cohn moved that the action of the superintendent be commended, which motion prevailed.

The committee approved the monthly pay-roll and adjourned.

Emergency Hospital.

The Committee on Relief of the Poor will sit to-day with the subcommittee recently appointed to inquire into the feasibility of establishing an emergency hospital in this city. The meeting will be held at 5 P. M. at the City Hall, and promises to be decidedly interesting. Dr. Eunice C. Williams, the advocate of the establishment of such a hospital and the divorce of the City Hospital from the almshouse, will present his views on the subject in some detail, as will also the opponents of the plan. The final action of the committee cannot be forecast with any accuracy.

The idea of the advocates of the emergency plan is to construct the negro almshouse on the city farm, near the city, and to utilize the remainder of

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PAINFULLY HURT BY FALL FROM CAR

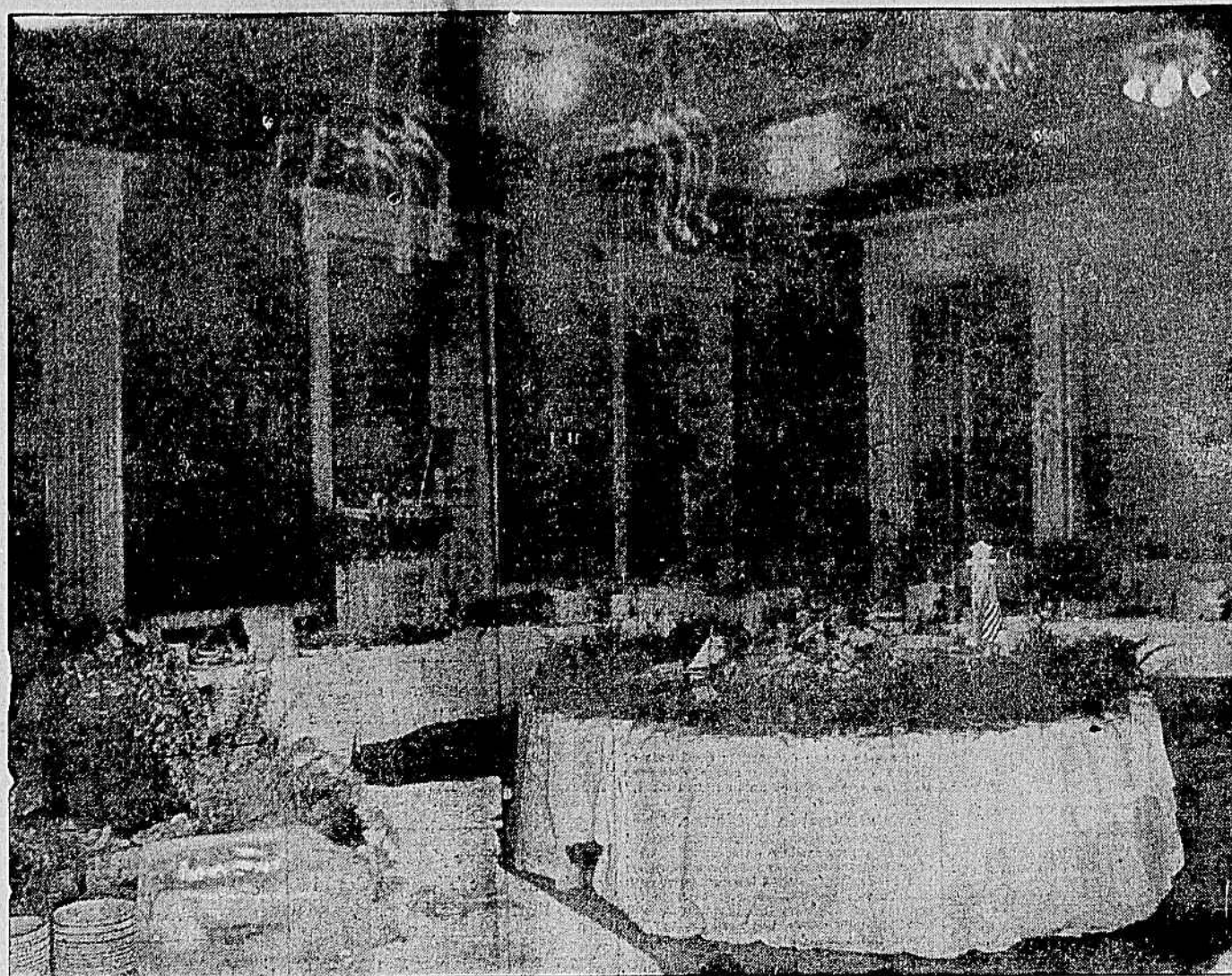
P. H. Dunnington, Former Mem- ber of Richmond Police, Taken to Virginia Hospital.

Mr. P. H. Dunnington, about fifty-five years of age, connected for a number of years with the police department, fell from a Broad and Main Street car at Eighteenth and Main Streets yesterday afternoon and sustained injuries that will necessitate his remaining indoors for several days. He was taken in the ambulance by Dr. Jones to the Virginia Hospital, where every attention was shown.

It was found, after an examination, that no bones were broken, nor was Mr. Dunnington injured internally. He, however, suffered a great shock, and his condition at first was very critical. At the hospital it was said that he had somewhat recovered and would be able to leave his bed within a few days.

The news spread through the city after the accident that Mr. Dunnington was now employed as detective by the Richmond, Fredericksburg and Potomac Railroad, had been injured yesterday. The police station was notified, and not until late at night was the report contradicted.

SCENE IN BANQUET HALL AT WESTMORELAND CLUB LAST NIGHT JUST BEFORE MEMBERS ENTERED



WILL REMAIN IN KY. FOR PRESENT

Lee County Authorities Do Not
Desire Kentucky Posse at
This Time.

MAY ASK FOR THEM LATER

Gov. Swanson Writes to Gov.
Beckham at Instance of Judge
Skeen and Attorney Ely.

(Special to The Times-Dispatch.)
LOUISVILLE, KY., February 18.—Governor Beckham has received a communication from Governor Swanson, of Virginia, in which the latter requests Governor Beckham to take no further action for the present on his request for a requisition for Rice W. Johnson, sheriff of Belle county, and his posse, charged with the killing of John Lee at Rose Hill, Lee county, Va., August 9, 1906.

While arresting Frank Ball, a fugitive from justice, who had taken refuge in the house of his father, Sheriff Johnson was indicted by the grand jury of Lee county, Va., for the murder of Lee, and in October, 1906, Governor Swanson sent requisition papers to Governor Beckham for the arrest of all of them.

Governor Beckham commissioned Judge C. R. McDowell, of Danville, to go to Richmond, Va., and make a full and fair statement of all the facts in the case to Governor Swanson. Governor Swanson recognized the county which has existed between the two States for a generation, by which they have been in the habit of following fugitives over the border, and has withdrawn the request for requisition.

The Governor's Explanation.

In referring to the above special, Governor Swanson said last night that at the request of Circuit Judge H. A. W. Skeen and Commonwealth's Attorney Ely, of Lee county, he had refrained from issuing a requisition for the present, and had so written Governor Beckham, of Kentucky. No requisition has been issued for the men. Governor Swanson has no authority to issue such papers except upon the recommendation of the judge and Commonwealth's attorney of the jurisdiction in which fugitives are wanted. He forwarded the papers in the case to Judge Skeen and Mr. Ely, and they replied that for some reason they did not wish the men brought back at this time. This is the status of the case, and Governor Swanson will only awaiting further recommendations from the Lee county authorities.

COTTON DUCK COMPANY SHOWS GROWING BUSINESS

BALTIMORE, MD., February 18.—The annual meeting of the stockholders of the Consolidated Cotton Duck Company was held to-day and largely attended. The statement of earnings for the year ended December 31st last showed the gross income to be \$10,243,824.29, an increase of \$666,807.46, as compared with 1905, and net earnings of \$1,301,881.39, an increase of \$384,709.91, as compared with the previous year.

The old officers were re-elected, and there was declared a semi-annual dividend of 2 per cent. on the preferred stock, payable April 1st to stockholders of record, of March 20th.

FRIEND'S DEATH CAUSES SUICIDE

Handsomeness Young Woman Shoots
Herself While Grieving Over
Lost Friend.

KILLS LOVER; DIES WITH HIM

Young Woman Demands at Point
of Pistol That Man
Marry.

NEW YORK, February 18.—Mrs. Bertha Baudary, a handsome woman of twenty-eight years, committed suicide in her apartments in a boarding-house at 345 West Thirty-eighth Street to-day by shooting. In a note addressed to her father, C. H. Fawyer, Missouri Trust Company Building, St. Louis, Mrs. Baudary wrote that she had received word that a dear friend had died and she "could not stand it any longer."

Mrs. Baudary was the wife of Louis Baudary, a traveling man, whose office was in the city, and she had given up her home a great deal of the time.

SHE SHOOTS HER LOVER AND THEN HERSELF

MAHON, ILL., February 18.—Nora Turner, daughter of G. H. Turner, of Harrisburg, Ill., shot Robert Kennedy and then shot herself. Both will die. Miss Turner has been making her home in this city, and has been keeping company with Kennedy. The couple quarreled last night, and Kennedy demanded a keepsake he had given the girl. Before separating, Miss Turner told Kennedy that she would kill him if he did not marry her to-day. At noon she went to his room. They were alone when the shooting took place.

KILLS TWO DAUGHTERS AND THEN HERSELF

CONNERSVILLE, IND., February 18.—Mrs. J. S. Mundell to-day killed her two daughters, aged four years and seven months, respectively, and then committed suicide. She was alone in the house with the children, and when Mr. Mundell returned home for lunch, he found the house locked and the blinds drawn. In a bedroom, side by side, on a bed, with their throats cut, were the woman and two children. Mrs. Mundell was thirty-five years old. Mr. Mundell says his wife was in perfect health apparently, and he knew no cause for the act.

CONDEMNED FOR MURDER. TRIES TO END LIFE

KANSAS CITY, MO., February 18.—Frank Hotman, under sentence of death, with Mrs. Aggie Myers, for killing Clarence Myers, the woman's husband, attempted to commit suicide in his cell in the county jail to-day. His condition is serious. Mrs. Myers is in jail at Liberty Mo. Her sentence has been appealed to the United States Supreme Court.

SEVERE ATTACK OF GRIP DROVE MAN TO SUICIDE

NEW YORK, February 18.—W. W. Hayden, president and treasurer of the William W. Hayden Company, of this city, manufacturers of gold and silver novelties, killed himself to-day at his home in Newark, N. J., by shooting himself in the head. It is believed that at the time he was temporarily insane from pain, having been suffering from the grip for several days.

A TRAIN-ROBBER GETS MANY YEARS

Percy Martin, Who Held Up Sea-
board Train, Will Spend 13
Years in Prison.

PLEADS GUILTY; BEGS MERCY

Aged Mother Not in Court, But
Arrives to Visit Son—Judge
Visibly Affected.

(Special to The Times-Dispatch.)
BOYDTON, VA., February 18.—The trial of Percy Martin began to-day at the afternoon session of the court. Only two hours were consumed in the arraignment, evidence and argument. The prisoner had no counsel, and Lawyer Reekes was requested by the court to represent Martin. He pleaded guilty to both charges, first for robbery and then for shooting Conductor Eberhardt. Under the statute of Virginia, by consent of the Commonwealth's Attorney, it is made the duty of the judge to try such cases, and thus a jury was not called, and Judge Barksdale heard and decided the case. Commonwealth's Attorney Reekes made a strong plea, asking the court to give the prisoner such punishment as would deter others from following his example. Mr. Reekes asked the court for mercy, reminding it of the heavy blow it would inflict upon the aged mother, who had come many miles to see her son. The court fixed his term in the penitentiary for the train robbery at twenty years, and for the shooting one year in the penitentiary. The prisoner's counsel asked that sentence be pronounced at once, which was done.

Judge Much Affected.

Judge Barksdale, in passing sentence, told Martin that it was a painful task for him to pass a sentence upon any one, more especially upon a young man, who had a mother that was bowed under a weight of sorrow, and who had appealed to him for mercy, but at the same time he had committed a heinous offense against the people of the State by his lawless act, and while he sympathized with his aged mother, that it was his duty as an officer of the State to enforce the laws of the Commonwealth; he told him that by good conduct in prison he could very much reduce his term of service, and admonished him to try, when his prison life ended, to be a new and better life. Judge Barksdale was visibly affected in passing the sentence, and spoke in the kindest tones to the prisoner, who sat meekly with deep emotion, though he did not utter a word. Mrs. Martin did not appear in court, as it was thought best by prisoner's counsel not to put her on the stand. There was no scene in the courtroom for their abject weeping, which they were estimated at five hundred persons.

THE DYNAMITE THAWED; THE WORKMEN KILLED

LONDON, KY., February 18.—Hugh Sutton, a farmer, and four other men employed by the Louisville and Nashville Railroad in laying a double-track at Tunnel 6, north of Hazel Patch, were killed to-day by the explosion of 100 sticks of dynamite, which they were blowing down to atoms, fragments of flesh being found in the tops of nearby trees. Three of the victims were negroes.

ANNUAL FEAST AT WESTMORELAND

Club Members Enjoyed Old-
Fashioned Virginia Dinner
Last Night.

ELECTION OF OFFICERS

Beautiful Seaside Scene Dis-
played in Dining Hall—Much
Merriment.

The annual business meeting and banquet of the Westmoreland Club was held last night, about 300 of the members gathered to discuss the affairs of the organization, and, afterward, to enjoy that annual feast of wit and wit and of good cheer which has characterized the annual dinners of the club from time immemorial.

Members who had not entered the club-rooms more than once or twice a year, perhaps, were present last night, and hours were spent as they can be passed away only when the golden bowl is bountifully full and music gladdens all the soul. Early in the evening the members gathered together in every room in the clubhouse, and the word was passed round that they were there only to enjoy themselves, and that good fellowship was to be the keynote of the hour. Old tales, that had been told a hundred times before, went the rounds, and were greeted with rounds of laughter. Just as they had not lost all their spice for the occasion, and jokes that had been treasured up for many a day just for this occasion were sprung with agreeable suddenness and surprisingly good flavor. Business cares were forgotten—like the Arabs in London's poem, they silently stole away—and in their place came the joys and pleasures that follow fast in the train of an old-fashioned Virginia supper.

Election of Officers.

The business meeting occupied the earlier hours of the evening; the election of officers was gone into, and the reports as to the standing of the club for the past year were heard. The financial report showed the organization to be in most excellent condition. The club now has 400 resident members.

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SIX SEAMEN LOST IN SNOW AND GLACE

Barges Go Aground Off Highland
Light and Most of the Crews
Perish.

HIGHLAND LIGHT, MASS., February 18.—Six seamen lost their lives when the Philadelphia and Reading Coal Company's barges Girard and Alaska went ashore and broke up off here to-day. Two men, Captain Larsen, of the Girard, and Seaman Martin Blake, were saved. They were hauled ashore in the breeches buoy by the life-saving crew of the Highland Light station. The barges, together with the barge Bethayres, were bound from Philadelphia for Boston, Lynn and Salem, in tow of the tug Valley Forge. In the northeast gale and heavy snow-storm early to-day the barges broke adrift, and the Girard was soon driven ashore. During the afternoon the Alaska struck the breakers and quickly went to the bottom, with all on board. The Bethayres was adrift and in danger.

THAW INSANE WHEN WHITE WAS SHOT

Will, Codicil and Con-
versation All Showed
Insanity, Says Evans

JEROME MAY ASK YET FOR COMMISSION

Presses Expert Hard to Force an
Admission That Insanity Was
of Incurable Character.
Point Raised That
Marriage May
Be Invalid.

BY SAMUEL HOPKINS ADAMS.
NEW YORK, February 18.—In parallel lines, the defense in the Thaw trial slowly advanced its case to-day. As always, the formal and ostensible line of proof dealt with the defendant's alleged insanity. Underneath this, the pushing forward of the "underground evidence," bearing upon Thaw's supposed justification in killing White, went busily on. Thaw's will, the codicil to the will, the testimony of the experts, while legally admitted only to show the defendant a state of mind, all swelled upon points tending to blacken the character of Stanford White and to produce the impression that his slayer was justified in ridding the earth of him.

So far as it bears on the insanity phase, the document of presentation, may prove disastrous to the defense, which introduced it. Testifying as to its incoherence, Dr. Evans, the defense's expert, was pushed into a corner, where he was hard put to it to avoid a direct admission that the document shows a "systematized delusion" on the part of the writer.

White Centre of Delusion.

The centre of this delusion, if delusion there were, was Stanford White. The centre of the delusion, under which it is claimed by the defense Harry Thaw did the killing more than a year after the point was written, was Stanford White. The evidence of the defense's experts regarding the examination of the prisoner in the Tombs last August and September is strong upon the point that he hated Stanford White. White was still the main obsession. Thaw's deranged brain. But a systematized delusion, exhibiting the same phase continuously for more than a year, means the fact of insanity known as paranoia. Such insanity practically all experts agree, is incurable.

Therefore, unless the defense's expert, Dr. Evans, can escape from the position into which he was forced to-day, the defense will have committed itself, medically, to the very position which the defendant has so vehemently opposed. Was Marriage Illegal?

One of the most interested spectators in the court-room was Dr. Philip J. O'Hanlon, the coroner's physician. He is an expert on himself.

"I have listened with a great deal of care to this testimony," Dr. O'Hanlon said to a reporter, "and I have come to the conclusion that Thaw must be insane now. He was insane, according to his experts, when he drew the will; he was also insane, they say, when he wrote the letters in evidence. This is Harry K. Thaw's own story of the killing of Stanford White. It is told by Dr. Britton D. Evans, the alienist, last August in the Tombs. To-day Dr. Evans repeated the prisoner's words to the jury which is trying Thaw for his life.

SHOOTING OF WHITE ACT OF PROVIDENCE

This Plea of Thaw in Statement
to Dr. Evans, Who Asserts
He Was Insane.

NEW YORK, February 18.—"I never wanted to kill him," Dr. Evans said to-day. "I knew he was a foul creature, destroying the mothers and daughters of America, but I wanted, through legal means, to bring him to trial. I wanted to bring him to justice. But Providence took care of it; it was an act of Providence." This is Harry K. Thaw's own story of the killing of Stanford White. It is told by Dr. Britton D. Evans, the alienist, last August in the Tombs. To-day Dr. Evans repeated the prisoner's words to the jury which is trying Thaw for his life.

District Attorney Jerome fought hard last week against the introduction of this evidence, which the defense believes is conclusive proof that Thaw did not know his act was wrong. Once the testifying physicians had declared that in their opinion Thaw was insane at the time he made the statements to them. However, the rules of evidence permitted the introduction of the prisoner's words.

The Will Before Jury.

In further bulwarking their contention that Thaw was insane when he killed Stanford White, the defense's counsel succeeded to-day in placing before the jury the will executed by Thaw the night of his marriage, in April, 1905, and a codicil to the will, executed at the same time.

Again Mr. Jerome fought the evidence, but he significantly withdrew his contentions after Dr. Evans had given it as his expert opinion that Thaw was insane at the time he executed the will. The fact that the district attorney seems disposed to let in testimony of every character, provided there is a preliminary opinion from the witness that the man was of unsound mind at the time to which the testimony refers, was taken to-day as further indicating that Mr. Jerome may, at the psychological moment, if he deems his hand strong enough, demand the appointment of a commission to pass upon Thaw's state of mind at the present moment.

The will and codicil as read to the jurors to-day were offered in evidence as cumulative testimony of Thaw's insanity. In his will Thaw provided that his executors should set apart the